

In The United States District Court  
For The District of Delaware

Anson I. Gibbs, Sr.,

Plaintiff,

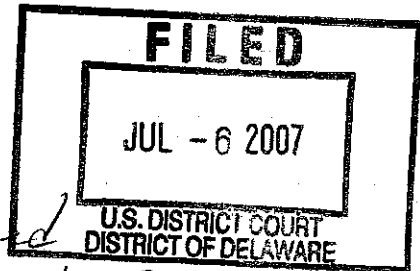
v.

Ruth Ann Minner, Lovannon,  
et al.,

Defendants.

<sup>342</sup>  
Civ. Act. No. 07-~~243~~-SLR

Guar Trial Demanded



Motion for leave to proceed  
In forma pauperis without  
prepayment of Filing Fee

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The plaintiff, Anson I. Gibbs, Sr., pursuant to 28 U.S.C. Sec. 1915(b)(1) and Sec. 1915(f)(2) request leave to proceed in forma pauperis without prepayment of filing fee. Requesting a determination prior to issuance of "Authorization".

1. The (PLRA) sets forth in 28 U.S.C. Sec. 1915(b)(1) that only prisoners who have no assets or means to pay are excused from the requirement of a partial payment.

2) 28 U.S.C. Sec. 1915(f)(2) sets forth that a prisoner who loses a case may be taxed for the full costs related to the action.

3) It also indicate that the discretion to waive prepayment of filing fees is conferred upon the district judges by Section 1915. See Culp v. Zaccagnino, 2000 WL 35861 (S.D.N.Y. 2000).

4) Since the plaintiff's record reflects that he has no assets or means by which to make a prepayment of the filing fee, and whether the plaintiff win or lose the case he will be taxed for the full cost related to the case anyway. The Court should grant plaintiff's request to proceed without prepayment of the filing fee for good cause shown.

A. That the unconstitutional claim presented before this Court in plaintiff's Complaint extends beyond the plaintiff and jeopardizes the freedom of every individual within the jurisdiction of the State of Delaware.

B. That expedited proceeding in this case will possibly prevent future violations of the Constitution of the United States and deter a miscarriage of justice.

5) The plaintiff is not requesting anything that's beyond the Court's call of duty. (U.S.C.A. Const. Art. VI and Amend. 14).

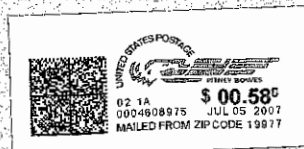
Wherefore: The Plaintiff pray that the Court will grant his request to proceed without prepayment of filing fee.

Dated: 7-3-07

Plaintiff,  
Anson I. Gibbs, Jr.  
Anson I. Gibbs, Jr. SRI #66982  
1181 Paddock Road  
Smyrna, Delaware 19977  
SHU-Bldg. #19-DL-11

IM: Arson, E. Gibbs, Sr.  
SBI# 066987 UNIT SM-849 #19 DL-11

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1181 PADDOCK ROAD  
SMYRNA, DELAWARE



Legal Mail

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U.S. District Court of Delaware  
Sam N. King Street, Suite 418  
Wilmington, Delaware  
19801